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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,513	11/05/2003	Takatoshi Okagawa	244925US90	5918
22850	7590	03/19/2009		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
ADHAM MOHAMMAD SAJD				
ART UNIT		PAPER NUMBER		
2416				
NOTIFICATION DATE		DELIVERY MODE		
03/19/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

10/700,513

**Applicant(s)**

OKAGAWA ET AL.

**Examiner**

MOHAMMAD S. ADHAMI

**Art Unit**

2416

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

- Applicant's amendment filed 12/11/2008 is acknowledged.
- Claims 1-4 have been amended.
- Claims 5-7 are cancelled.
- Claims 1-4 are pending.

### ***Claim Objections***

1. Claim 4 objected to because of the following informalities: The status identifier for claim 4 should be Currently Amended. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-4 recite the limitation "address information routed to the specific router" in line 19. There is insufficient antecedent basis for this limitation in the claim. It is unclear what address information is routed to the specific router.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 (as best understood) are rejected under 35 U.S.C. 103(a) as being unpatentable over Tirosh (US App. 2003/0141093) in view of Neves (US App. 2006/0276209).

**Re claims 1-4:**

Tirosh discloses *a source router connected to a terminal, configured to receive data addressed to a destination terminal transmitted from the terminal* (Fig.1 ref. 200a is a terminal, ref.100a is a source router, and ref.200e is a destination terminal).

Tirosh further discloses *a destination n router connected to the destination terminal and configured to receive the data transmitted from the source router and send the data to the destination terminal* (Fig.1 ref.100 is a destination router).

Tirosh further discloses *a specific router connected to the source router and the destination router and configured to forward data packets from the source router to the destination router* (Fig.1 ref.100b,100c, or 100d can be a specific router).

Tirosh further discloses *a router controller receiving a predetermined trigger (Fig.1 ref.400 and Para.[0038-0040] sending a trigger when a fault is detected).*

Tirosh further discloses *a router controller configured to determine the specific router based on topology information of a plurality of routers controlled by the routing controller and a routing path of the data addressed to the destination terminal, when the trigger receives the predetermined trigger* (Para.[0011] A network manager unit may dynamically update the dynamic router such that the set of possible output path is changed and Para.[0021] providing information for routing and Para.[0026]).

Tirosh further discloses *an address information provision requester configured to request the specific router determined by the router controller to provide address information router to the specific router* (Para.[0021] may instruct the dynamic routers where to route data traffic and Para.[0026] a path is first opened by telling all dynamic routers on the path their downstream dynamic router and associating with the path a unique label which is advertised to the dynamic routers on the path and Para.[0033] the various controllers may be responsible for communication and specific activities related to their controller entities).

Tirosh further discloses *requesting the source router to create information to convert a destination address to the routed address* (Para.[0021] may instruct the dynamic routers where to route data traffic and Para.[0026] a path is first

opened by telling all dynamic routers on the path their downstream dynamic router and associating with the path a unique label which is advertised to the dynamic routers on the path and Para.[0033] the various controllers may be responsible for communication and specific activities related to their controller entities).

Tirosh further discloses *requesting the specific router to create information to convert the provided address to the routed address* (Para.[0011] a network management unit may dynamically update the dynamic router such that the set of possible output paths is changed).

Tirosh further discloses *a specific router providing the routed address* (Para.[0026] telling all dynamic routers on the path their downstream dynamic router).

Tirosh further discloses *a specific and source router creating and managing the address information and converting the address* (Para.[0021] may instruct the dynamic routers where to route data traffic and Para.[0026] a path is first opened by telling all dynamic routers on the path their downstream dynamic router and associating with the path a unique label which is advertised to the dynamic routers on the path and Para.[0033] the various controllers may be responsible for communication and specific activities related to their controller entities).

Tirosh further discloses *routing based on the converted address* (Para.[0026] forwarding a packet to a router).

Tirosh does not explicitly disclose *a mobile station*.

Neves discloses *a mobile station* (Para.[0045] cellular phones).

Tirosh and Neves are analogous because they both pertain to data communication.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tirosh to include a mobile station as taught by Neves in order to use a wireless network and provide mobility.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Galand (US App. 2004/0042402) shows rerouting.
5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD S. ADHAMI whose telephone number is (571)272-8615. The examiner can normally be reached on Monday-Friday 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571)272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mohammad S Adhami/  
Examiner, Art Unit 2416

/Chi H Pham/  
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